

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Michael Villa, doing business as Mike's L.A. Express for a Certificate of Public Convenience and Necessity to provide scheduled bus passenger stage service between points in Lancaster, California and Los Angeles, California.

Application 14-06-005
(Filed June 4, 2014)

D E C I S I O N G R A N T I N G A P P L I C A T I O N**Summary**

This decision grants the application of Michael Villa, an individual, doing business as Mike's L.A. Express pursuant to Pub. Util. Code §§ 1031, et seq., for a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation, as defined in Pub. Util. Code § 226.

Discussion

Michael Villa, an individual, doing business as Mike's L.A. Express, (Applicant) requests authority to operate as a scheduled Passenger Stage Corporation (PSC) to transport passengers between points in Lancaster, California on the one hand and Los Angeles, California, on the other hand.

This proposed service will transport passengers and their baggage between the intersection of Sierra Highway and Lancaster Boulevard, Lancaster, California and the intersection of North Alameda Street and North Los Angeles Street, Los Angeles, California. The proposed regularly scheduled service will operate Monday through Friday between the hours of 1pm and 9pm. There will be two daily trips each way and no weekend service is to be offered.

Applicant states that there is a need for this proposed service and states that it will provide a smaller, more personal service and serve as a useful travel alternative in the event of unexpected delays of other scheduled services.

The proposed one-way fare per person is \$10. The service is designed to operate in a fifteen passenger van (including driver) with a maximum of fourteen persons per one way trip.

Applicant provided a balance sheet (Exhibit E) as of May 19, 2014, indicating total assets of \$45, 031, total liabilities of \$2,276 and net worth of \$42,755.

Notice of filing of the application appeared in the Commission's Daily Calendar on June 10, 2014. Applicant served notice of the application to the involved cities, counties, and public transit operators in the service area

In Resolution ALJ 176-3337, dated June 12, 2014; the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3337.

Since the proposed service will reduce the number of vehicles on the public highways in between points in Lancaster and Los Angeles, a California Environmental Quality Act review is not required because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Safety Considerations

In order to be authorized to commence operations as a PSC, the Applicant must comply with the following requirements in order to protect public safety: Proof of insurance pursuant to General Order Series 101, compliance with the controlled substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Denise Y. Tyrrell is the assigned Examiner in this proceeding.

Findings of Fact

1. The application requests authority to operate as a scheduled PSC to transport passengers between points in Lancaster, California and Los Angeles, California.
2. Public convenience and necessity requires the proposed service.
3. The proposed one way fare will be \$10.
4. Applicant will compete with other means of passenger transportation.
5. No protest to the application has been filed.
6. Proposed service will reduce the number of vehicles on the public highways therefore it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

Conclusions of Law

1. Public convenience and necessity has been demonstrated and the application should be granted.
2. A public hearing is not necessary.
3. Since the matter is uncontested, the decision should be effective immediately.
4. Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify these rights at any time.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted Michael Villa, an individual, doing business as Mike's L.A. Express, authorizing him to operate as a Passenger Stage Corporation (PSC), as defined in Pub. Util. Code § 226, to transport passengers between the points and over the routes set forth in Appendix PSC-33843, subject to the conditions contained in the following Ordering Paragraphs.
2. Michael Villa, an individual, doing business as Mike's L.A. Express, shall:
 - a. File a written acceptance of this certificate within 30 days after this order is effective.
 - b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
 - c. File tariffs on or after the effective date of this order. They shall become effective ten days or more after the effective date of this order, provided that the Commission and the public are given not less than ten days' notice.

- d. Comply with Commission's General Orders Series 101 and 158, and the California Highway Patrol safety rules.
 - e. Comply with the controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.
 - f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so. Failure to comply with this filing will result in suspension and/or revocation of authority.
 - g. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
 - h. Enroll all drivers in the Pull Notice System as required by Vehicle Code § 1808.1.
3. Michael Villa, an individual, doing business as Mike's L.A. Express, is authorized to charge a one way fare of \$10 per person.
4. In addition to posting and filing tariffs, Michael Villa, an individual, doing business as Mike's L.A. Express, shall post notices explaining fare changes in his terminals and passenger-carrying vehicles. Such notices shall be posted at least ten days before the effective date of the fare changes and shall remain posted for at least 30 days.
5. Michael Villa, an individual, doing business as Mike's L.A. Express (Applicant), is authorized to begin operations on the date that the Safety and Enforcement Division mails a notice to applicant that its evidence of insurance and other documents required by Ordering Paragraph No. 2 have been filed with the Commission and that the California Highway Patrol has approved the use of Applicant's vehicles for service.
6. The Certificate of Public Convenience and Necessity to operate as Passenger Stage Corporation-31998, granted herein, expires unless exercised within 120 days after the effective date of this order.

7. The Application is granted as set forth above.
8. This proceeding is closed.

This order is effective today.

Dated....., 2014, at San Francisco, California.

Appendix PSC-33843

Michael Villa
dba Mike's L.A. Express
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-33843

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges.

All changes and amendments as authorized by
the Public Utilities Commission of the State of California
will be made as revised pages or added original pages.

I N D E X

	Page
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. ROUTE DESCRIPTION	3

SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

Michael Villa, dba Mike's L.A. Express, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on a scheduled basis over the routes described in Section II, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- b. Service will be operated only at the points described in Section II. A description of all the stop points and the arrival and departure times from such points shall be indicated in the timetable filed with the Commission.
- c. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.

SECTION II. ROUTE DESCRIPTIONS.

Scheduled Service

Commencing from Lancaster, California, then over the most convenient streets, expressways, and highways to Los Angeles, California, and return.